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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,495	08/19/2003	Kenji Tobe	96790P436	7418

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EXAMINER

EVANISKO, LESLIE J

ART UNIT PAPER NUMBER

2854

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,495

Applicant(s)

KENJI TOBE

Examiner

Leslie J. Evanisko

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7 and 10 is/are rejected.
- 7) ☒ Claim(s) 4-6,8 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/19/03 & 1/29/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3. Claims 1-10 are objected to because of the following informalities: With respect to claim 1, the phrase "a sheet convey direction" is somewhat confusing since applicant has never recited a sheet in the claim and additionally refers to a plate being conveyed or fed during plate changing. From applicant's disclosure in the specification, it is clear that applicant is intending to refer to the conveying direction of a sheet that is being printed upon in the printing machine. Therefore, it is suggested that the following language be added to the claim to clarify the claim language: --A plate changing apparatus for changing a printing plate on a plate cylinder in a printing machine for printing upon

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sheets being conveyed through the printing machine, the apparatus comprising: ...--. If applicant uses the above suggested language, then the term "a plate cylinder" in line 4 should also be changed to --the plate cylinder-- since the plate cylinder is recited in the preamble as suggested.

With respect to each dependent claim 2-10, it is suggested that the term "An" at the beginning of each claim be deleted and replaced with --The-- since the apparatus was previously recited in claim 1.

With respect to claim 4, the term "the substantially vertical wait position" has no proper antecedent basis since the wait position was never previously defined as being "substantially vertical." To correct this problem, it is suggested that the following language (or similar language) be added to the claim to clarify that the wait position is substantially vertical: --The apparatus according to claim 1, further comprising the wait position provides the loader to be substantially vertical; a base for swingably supporting...--

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-3, 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dürr et al. (US 5,709,151) in view of Dennstedt (GB 2 279 909 A). Dürr et al. teach a plate changing apparatus including a loader **43, 46, 47** supported by a frame **8, 9** to be movable in a horizontal direction and serving to feed a new plate **84** to a plate cylinder **1**, a loader moving means **29, 37, 38** for moving the loader from a retreat position (Figures 6 or 11) to a wait position (Figures 7-8) close to the plate cylinder during plate changing, and a plate removal unit **12, 16** fixed to the frame to recover an old plate discharged from the plate cylinder (column 3, lines 21-30). Attention is invited to Figures 6-8 and 11 and column 6, line 35 through line 54. Although Dürr et al. is silent with respect to the exact configuration of the printing cylinders and the direction that the sheets are conveyed through the printing apparatus, the broad provision of a printing arrangement in which the plate cylinders and blanket cylinders are stacked vertically to provide perfecting printing of a web being conveyed horizontally through a nip is well known in the art, as exemplified by Figure 1 of Dennstedt. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide a printing cylinder arrangement as taught by Dennstedt in the apparatus of Dürr et al. as it would simply require the obvious substitution of one known printing cylinder arrangement for another to accurate plate exchanging in a perfecting printer.

With respect to claims 2-3, and 7, note the loader **43, 46, 47** of Dürr et al. can broadly be considered to comprise a guide or extracting means for

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extracting and guiding the old plate from the plate cylinder to the plate removal unit through the loader. See, for example, claim 1 of Dürr et al.

With respect to claim 10, note the plate removal unit **16** of Dürr et al. comprises a removed plate guide board **13, 14** for guiding and removing a plate as recited.

Allowable Subject Matter

6. Claims 4-6 and 8-9 are objected to for the reasons set forth above as well as for being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner and in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 4-6, the prior art of record fails to teach or fairly suggest a plate changing apparatus having all of the structure as recited, in combination with and particularly including, a base for swingably supporting the loader between the substantially vertical wait position and an inclined plate feed position.

With respect to claims 8-9, the prior art of record fails to teach or fairly suggest a plate changing apparatus having all of the structure as recited, in

combination with and particularly including, the plate removal unit including a hook and hook moving means as specifically recited.

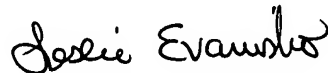
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kobler et al. (US 5,454,317) teach a plate changing apparatus having obvious similarities to the claimed subject matter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
July 11, 2004